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INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 3102
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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 004664

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STATE FOR NEA/ARP, EB/ESC/TFS, TREASURY FOR KRISTEN HECHT

E.O. 12958: DECL: 12/17/2016
TAGS: [ECON](#) [PGOV](#) [PTER](#) [PREL](#) [KU](#) [KTFN](#)
SUBJECT: TERROR FINANCE: MFA INDICATES NO PLANS TO LIFT
HOLD ON DESIGNEES

REF: A. STATE 186953
[1](#)B. STATE 192459
[1](#)C. KUWAIT 4509
[1](#)D. KUWAIT 4507
[1](#)E. KUWAIT 4637

Classified By: CDA Matt Tueller for Reasons 1.4 (b) and (d)

[1](#)1. (C/NF) Summary: MFA Director of Follow-up and Coordination Khalid Maqamis told Econcouns December 16 that the three Kuwaitis designated as terrorist facilitators by the US Department of Treasury on December 7 -- Hamad Al Ali, Jaber Al-Jalamah, and Mubarak Al-Bathali -- were not active and were not threatening, and there was no need to take further action against them at the UN. He professed surprise at the timing of the USG designation, as the GOK had no advance notice (note: due to apparently technical reasons, Refs A and B instructing post to inform the GOK of pending action against three Kuwaiti citizens never reached Embassy Kuwait. Post is in contact with the Department to resolve the problem to avoid a repeat in the future. End Note). Echoing National Security Bureau President Shaykh Ahmed Al-Fahd's point to APHSCT Townsend during their mid-November meeting, Maqamis maintained that the three individuals were under close scrutiny by the Kuwaiti authorities. Since there was no legal basis to take action against these individuals in Kuwait, Maqamis argued, and indeed they had been absolved of any wrongdoing in the past by the Kuwaiti courts, there was no basis on which to designate them as terrorist facilitators at the UN 1267 Sanctions Committee. Maqamis said U.S. evidence against the three individuals was insufficient for the GOK to justify taking further action, and the GOK thus requested Qatar to put a hold on further action against them at the UN. End Summary.

[1](#)2. (C/NF) Econcouns called on MFA Director of Follow-up and Coordination Khaled Maqamis to review the designation of three Kuwaiti citizens by the Department of Treasury on December 7 and to ask about Kuwait's intentions in lobbying Qatar to place a hold on further action against them at the UN. Maqamis said the December 7 designations came as a "surprise" and insisted the three designees were relatively harmless at this point. They were being watched, he said, and "they are not active." More importantly, Maqamis said two of the three individuals, Hamad Al-Ali and Jaber Al-Jalamah, had been to court three and two times, respectively, and each time the court had absolved them of any wrongdoing. There were no charges pending against them in Kuwait. Maqamis said there was no way the GOK could justify taking action against them as terrorist inciters or facilitators when legally they were not regarded as supporters of terrorism.

13. (C/NF) Econcouns rejoined that there was, in fact, evidence implicating these individuals as terrorist inciters, including calls to Jihad, advocacy of suicide attacks against coalition forces in Iraq, travel to Afghanistan, and fund-raising for terrorist activity. Econcouns drew on Ref A and B points to outline the case against each individual, and noted that APHSCT Townsend had expressed concern about the three individuals in meetings with the GOK in mid-November (Refs C and D. Note: Shaykh Ahmed argued against designating the three individuals on the grounds they were under surveillance and had a relationship with the Kuwait State Security). The evidence was, in fact, substantial, and the U.S. had been sharing information with the GOK for several years. Econcouns regretted the GOK had been caught off guard by the timing, but stressed this had been in the works for some time, and there should be no surprise on the GOK's part that it eventually came to fruition. Maqamis said a U.S. designation was one thing, but it was not possible for Kuwait to support the designation of the three Kuwaitis at the UN when on several occasions going back to 1999 courts in Kuwait had dropped charges against them. While not "good people," Maqamis said, they were not guilty of supporting terrorism. Once the GOK learned of the US designations, Maqamis said, the GOK contacted Qatar to put a hold on designations at the UN.

14. (C/NF) Maqamis insisted (despite U.S. evidence to the contrary) that the three Kuwaitis are "quiet now." They are under surveillance by the Kuwait security services, Maqamis said. He said Bathali says many things to gain attention and is in fact mentally unstable. He is "a crazy man," Maqamis said. His son, on the other hand, now in prison in Iraq, is a supporter of terrorism, Maqamis acknowledged.

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15. (C/NF) Econcouns used the occasion to reinforce ongoing USG concern with the activities of the Kuwaiti charity Revival of Islamic Heritage (RIHS). Econcouns said the MFA had repeatedly said the case outlining RIHS associations with terrorist activity abroad were unsubstantiated, yet the GOK had never refuted the specific charges contained in a series of USG non-papers, nor indicated in any kind of detail what the shortcomings of the evidence were. Econcouns said a more detailed dialogue on terror financing would be useful, rather than a wholesale refutation by the GOK of evidence presented by the USG.

Comment

16. (C/NF) As this conversation indicates, the GOK continues to pursue a policy of co-optation that seeks to moderate and control Kuwait-based extremists and their activities inside Kuwait, but does much less to moderate facilitation of terror and jihad activities by Kuwaitis aimed at Iraq and Afghanistan. It is unlikely we will have much success, based on discussions with Shaykh Ahmed and Maqamis, with ratcheting up our demarche to get the Kuwaitis to back down on UN designation of these three individuals.

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